



Office of the City Clerk

25th Floor, City Hall
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Kansas City, Missouri 64106

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CERTIFICATE OF THE CITY CLERK

I, Millie M. Crossland, City Clerk of Kansas City, Missouri, certify the attached is a true and correct copy of:

Chapter(s):

Charter Section(s):

Ordinance(s): 041415

Resolution(s):

Other(s):

The above appears in records and is on file in the Office of the City Clerk, 25th Floor, City Hall, Kansas City, Missouri.

IN TESTAMONY WHEREOF, I have set my hand and affixed the seal of the City on this 2nd day of March, 2006.

Millie M. Crossland
City Clerk

By Shirley D. Huber
Deputy City Clerk

FILED

MAR 14 2006

Missouri Public
Service Commission

Exhibit No. 9
Case No(s) EC-2006-0332
Date 3-06-06 Rptr XF

ORDINANCE NO. 041415

Rezoning an area of approximately 4 acres generally located on the west side of Belleview Avenue between 25th Street and Southwest Boulevard on the north and 26th Street on the south, from Districts R-4 and M-2a to District URD, and approving a development plan for the same. (13253-URD)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, 1996, commonly known as the Zoning Ordinance, is hereby amended by enacting a new section to be known as Section 80-11A0606, rezoning an area of approximately 4 acres generally located on the west side of Belleview Avenue between 25th Street and Southwest Boulevard on the north and 26th Street on the south, from Districts R-4 (Low Apartment) and M-2a (Heavy Industry) to District URD (Urban Redevelopment District), said section to read as follows:

Section 80-11A0606. That an area legally described as:

All of Lots 1 through 47 inclusive, together with the alleys and part of vacated Southwest Boulevard adjacent thereto, and also including part of Belleview Avenue adjacent thereto, all lying in Block 4, Gates Addition, a subdivision in the Southeast Quarter of Section 7, Township 49 North, Range 33 West, in Kansas City, Jackson County, Missouri, described as follows:

Beginning at the Northwest corner of Lot 33, Block 4, Gates Addition; thence South 54 degrees 09 minutes 17 seconds East along the North line of said Lot 33 a distance of 53.89 feet to the Northeast corner of said Lot 33; thence South 87 degrees 46 minutes 51 seconds East a distance of 27.50 feet to a point on the centerline of Belleview Avenue; thence South 2 degrees 13 minutes 09 seconds West along the centerline of Belleview Avenue a distance of 258.51 feet to a point on the Westerly prolongation of a line that lies 8.50 feet South of and parallel with the South line of Block 5 of said Gates Addition; thence South 87 degrees 46 minutes 51 seconds East along said prolongation a distance of 27.50 feet to a point on the East right of way line of Belleview Avenue; thence South 2 degrees 13 minutes 09 seconds West along the East right of way line of Belleview Avenue a distance of 374.29 feet to a point on the North right of way line of 26th Street; thence North 87 degrees 20 minutes 34 seconds West along the North right of way line of 26th Street and the South line of Lots 20 through 26 of said Block 4 a distance of 346.79 feet to a point; thence North 55 degrees 06 minutes 39 seconds West along the North right of way line of 26th Street and the South line of said Lot 26 a distance of 45.30 feet to a point on the East line of an existing alley; thence North 34 degrees 57 minutes 43 seconds East along the East line of said alley a

distance of 299.99 feet to a point on the Easterly prolongation on the South line of Lot 47 of said Block 4; thence North 55 degrees 06 minutes 25 seconds West along the South line of said Lot 47 and its prolongation a distance of 136.49 feet to a point on the East right of way of Southwest Boulevard as established by the partial vacation as filed in Book 175 at Page 627; thence North 34 degrees 44 minutes 36 seconds East along the East right of way of said Southwest Boulevard a distance of 389.43 feet to a point on the Westerly prolongation of the North line of said Lot 33; thence South 54 degrees 09 minutes 17 seconds East along said prolongation a distance of 33.98 feet to the POINT OF BEGINNING and containing 171,588 Square Feet or 3.939 Acres, more or less.

is hereby rezoned from Districts R-4 (Low Apartment) and M-2a (Heavy Industry) to District URD (Urban Redevelopment District), all as shown outlined on a map marked Section 80-11A0606, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and as an amendment to Section 80-11 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to the following conditions:

1. That the developer shall cause the area to be platted and processed in accordance with Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Subdivision Regulations.
2. That the developer make improvements required by the storm drainage study as required by the Department of Public Works.
3. That the developer request and obtain approvals to vacate the portion of Belleview Avenue and the alleyways shown on the development plan prior to a final plat being recorded.
4. That the developer make improvements required by the approved traffic study and walkability study as required by the Department of Public Works.
5. That the developer provide for the proposed bicycle plan routes by studying the existing conditions and report to the City how the proposed bicycle routes can be improved within the existing street network, prior to the submittal of an ordinance request for the first final plat.
6. That the developer secure permits to construct or reconstruct existing sidewalks, curb, gutter, storm sewers, and streetlights as necessary along all development street frontages, as required by the Department of Public Works, prior to recording the plat.

7. That the developer submit plans for grading, siltation, and erosion control to the City Engineer's Office for approval and permitting prior to beginning any construction activities.
8. That the developer secure a site disturbance permit from the Department of Public Works prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area exceeds one acre.
9. That the developer submit covenants, conditions and restrictions to the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
10. That the developer extend water mains as required by the Water Services Department.
11. That the developer provide for fire protection as required by the Fire Department.
12. That the developer submit a site plan to the Director of the Department of City Development for approval prior to the issuance of a building permit. The site plan shall include information regarding: property uses, setback distances, lighting, landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.

A copy of said development plan is on file in the office of the City Clerk under Document No. _____, which is attached hereto and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices have been given and hearings have been held as required by the Zoning Ordinance.

I hereby certify that as required by Chapter 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:



Authenticated as Passed

Kay Barnes
BARNES, Mayor

[Signature]
City Clerk

[Signature] for
M. Margaret Sheahan Moran
Assistant City Attorney

DATE PASSED **JAN 13 2005**